

OBLON SPIVAK **McClelland** MATER NEUSTADT P.C.

ATTN: APPLICATION BRANCH

THIS IS A RESPONSE TO A

ATTORNEYS AT LAW

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE A'ND/OR AMINO ACID SEQUENCE DISCLOSURES

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

Re: Inventor:

Kenzo YOKOZEKI, et al.

Serial No:

10/775,178

Filed:

February 11, 2004

For:

NOVEL PEPTIDE-FORMING ENZYME, MICROBE PRODUCING THE ENZYME AND METHOD FOR PRODUCING PEPTIDE USING

THEM

SIR:

Attached hereto for filing are the following papers:

Return Copy - Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures

Preliminary Amendment and Statement w/attached Sequence Listing and Computer Readable Form (CRF)

Our check in the amount of \$0.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

248213US0 Docket No.

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

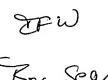
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PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMME United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/775,178

02/11/2004

Kenzo Yokozeki

248213US0

22850 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314.

CONFIRMATION NO. 9926 FORMALITIES LETTER *OC000000012676248*

Date Mailed: 05/17/2004

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE **DISCLOSURES**

Filing Date Granted

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

• This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
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A copy of this notice <u>MUST</u> be returned with the reply.

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